FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1070 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. D.R. More, APP. for the State,
Mr.Vikram Pai for the Respondent.

CORAM : R.S. MOHITE, J.
DATED : FEBRUARY 6, 2006.

P.C.

1. This is an appeal filed by the State impugning a judgment and order dated 20.4.2004 passed by the Special Judge, Raigad, Alibag acquitting the accused for an offence punishable under Section 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act. On perusal of the impugned judgment, it appears that the same has been passed on cogent and acceptable reasons. As regards the demand said to have been made on 20.9.2000, one Lohakare who was admittedly present in the cabin but he was not examined. No anthracene powder was found to the hands of the accused as no amount was attached from him and

the amount was seized from the drawer. The sanction was given without application of mind because the sanctioning authority had named Dr. Tiwari as the person who has to sign first for passing of the medical bill but Dr. Tiwari is not examined by the prosecution. His name was also wrongly mentioned in the sanctioned letter. In the circumstances, leave refused and consequently the appeal is dismissed.

(R. S. MOHITE, J.)